

**Notice of Allowability**

Application No.

10/572,792

Examiner

Rhonda S. Peace

Applicant(s)

SUZUKI ET AL.

Art Unit

2874

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the application filed 3/21/2006.
2. ☒ The allowed claim(s) is/are 1-4.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All b) ☐ Some\* c) ☐ None of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date 3/21/2006
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

*M.R. Connelly-Cushwa*  
MICHELLE CONNELLY-CUSHWA  
PRIMARY EXAMINER

*Rhonda S. Peace*  
Rhonda S. Peace  
Examiner, Art Unit 2874

## **DETAILED ACTION**

### ***Priority***

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### ***Information Disclosure Statement***

The information disclosure statement (IDS) submitted on 3/21/2006 was filed in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

### ***Drawings***

The drawings were received on 3/21/2006. These drawings are suitable for publication.

### ***Allowable Subject Matter***

Claims 1-4 are allowed.

The following is an examiner's statement of reasons for allowance: The applicable prior art does not disclose or reasonably suggest a power monitor comprising a pig tail fiber with two optical fibers, where a sleeve is provided at the end of said fibers and said sleeve has a first circular hole and a second circular hole and a photodiode positioned at the second end of the sleeve. The photodiode has a lens positioned on its face that faces the second circular hole. The said first hole is continuous from the first

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end approximately to an intermediate position between the first end and the second end, and the said second hole is continuous from the second end approximately to the intermediate position and having a center axis shifted from the center axis of the first circular hole. The first circular hole has a through-hole communicating with the second circular hole and an intermediate wall approximately at the intermediate position. A GRIN lens having a first side facing the pig tail fiber and a tap film located on the other side is placed in the first circular hole such that an optical signal input from one of the two said fibers and transmits through the said film, proceeds through the first and second said holes and reaches said photodiode. Moreover, an optical signal coming from the other of the two said fibers and transmitting through said film is obstructed by the intermediate wall of the sleeve.

The most applicable prior art, Francis et al (US 2002/0118920) discloses a pig tail fiber, having a plurality of optical fibers, located within a sleeve. The sleeve is located within a housing having a first circular hole and a second circular hole, where the first and second holes are in communication with one another via a through-hole. Moreover, a photodetector is placed at the second end of the sleeve, and a grin lens is placed in the first-circular hole. However, Francis et al does not show a structure having the intermediate wall as required by claim 1, and moreover does not show the optical path limitations of claim 1, where one of the input signals is blocked by a wall, while the other is detected by the detector. In addition, Francis et al only shows a single input, and not a plurality of inputs as described by the current invention.

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Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Uschitsky et al (US 6454465) discloses a method of making an optical fiber collimating device.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rhonda S. Peace whose telephone number is (571) 272-8580. The examiner can normally be reached on M-F (8-5).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rodney Bovernick can be reached on (571) 272- 2344. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

*Rhonda S. Peace* 4/13/07  
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Art Unit 2874

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4/16/07